



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/786,516	06/27/2001	Akira Nonaka	9798423-0005	1534

7590 11/08/2004
Janelle D Strode
Sonnenschen Nath & Rosenthal
PO Box # 061080
Wacker Drive Station
Chicago, IL 60606-1080

EXAMINER
CHAI, LONGBIT

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 11/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/786,516

Applicant(s)

NONAKA ET AL.

Examiner

Longbit Chai

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-208 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03-05-2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2131

DETAILED ACTION

Priority

1. The application is filed on 06/27/2001 but claims the benefit of foreign priority has been made and acknowledged.
2. Therefore, the effective filing date for the subject matter defined in the pending claims in this application is 07/06/1999 on the benefit of foreign priority date.
3. Examiner notes the priority date in the USPTO Bib Data Sheet should be corrected to 07/06/1999 (July 6, 1999) from the original 06/07/1999 (June 7, 1999).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraph of 35 U.S.C. 102 that forms the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2131

4. Claims 1 – 208 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Ginter (Patent Number: US 6253193 B1), hereinafter referred to as Ginter.

As per claim 18, Ginter teaches a data providing system comprising a data providing apparatus, a data distribution apparatus, and a data processing apparatus, wherein said data providing apparatus provides a first module storing *content data* encrypted by using content key data, encrypted content key data, and encrypted usage control policy data indicating the handling of said content data to said data distribution apparatus said data distribution apparatus distributes a second module storing said encrypted content data, content key data, and usage control policy data stored in said provided first module to said data processing apparatus, and said data processing apparatus decrypts said content key data and said usage control policy data stored in said distributed second module and determines the handling of said content data based on the related decrypted usage control policy data (Ginter: see for example, Column 9 Line 36 – 40, Column 55 Line 29 – 32 and Figure 1A & Figure 2) & (Ginter: see for example, Column 12 Line 33 – 46 and Column 130 Line 37 – 40) & (Ginter: see for example, Column 17 Line 46 – 51) & (Ginter: see for example, Column 17 Line 46 – 54) & (Ginter: see for example, Column 15 Line 33 – 38, Column 12 Line 33 – 46, Column 58 Line 12 – 22) & (Ginter: see for example, Column 200 Line 54 – 65).

As per claim 1, 17, 41, 56 and 62, claim 1, 17, 41, 56 and 62 do not further teach over claim 18). Therefore, see same rationale addressed above in rejecting claim 18.

As per claim 2, 20, 43, 57 and 63, Ginter teaches the claimed invention as described above (see claim 1, 18, 41, 56 and 62 respectively). Ginter further teaches said data providing apparatus distributes said module storing said content key data and said usage control policy data encrypted using distribution key data to said data processing apparatus and said data processing apparatus decrypts said content key data and said usage control policy data stored in said distributed module using said distribution key data (Ginter: see for example, Column 200 Line 54 – 65) & (Ginter: see for example, Column 258 Line 63 – 65) & (Ginter: see for example, Column 17 Line 46 – 51).

As per claim 3, 21 and 44, Ginter teaches the claimed invention as described above (see claim 2, 20 and 43 respectively). Ginter further teaches a data providing system as set forth in claim 2, further comprising a management apparatus for managing said distribution key data and *distributing said* distribution key data to said data providing apparatus and said data processing apparatus (Ginter: see for example, Column 200 Line 54 – 65) & (Ginter: see for

Art Unit: 2131

example, Column 258 Line 63 – 65) & (Ginter: see for example, Column 17 Line 46 – 51).

As per claim 4, 45 and 64, Ginter teaches the claimed invention as described above (see claim 1, 41 and 62 respectively). Ginter further teaches data providing apparatus generates its own signature data for at least one of said content key data and said usage control policy and distributes said module storing said generated signature data to said data processing apparatus (Ginter: see for example, Column 22 Line 8 – 14).

As per claim 5, 8, 23, 26, 29, 46, 49 and 68, Ginter teaches the claimed invention as described above (see claim 1, 7, 22, 25, 28, 45, 48 and 67 respectively). Ginter further teaches said data providing apparatus generates said signature data using its own secret key data and distributes said module storing public key data corresponding to said secret key data to said data processing apparatus (Ginter: see for example, Column 22 Line 8 – 14).

As per claim 6, 24, 47, 66 and 81, Ginter teaches the claimed invention as described above (see claim 5, 23, 46, 65 and 80 respectively). Ginter further teaches a management apparatus for preparing public key certificate data certifying the legitimacy of said public key data, wherein said data providing apparatus distributes said module storing said public key certificate data to said

Art Unit: 2131

data processing apparatus (Ginter: see for example, Column 120 Line 32 – 40 and Column 203 Line 50 – Column 204 Line 19 and Column 17 Line 55 – 60).

As per claim 7, 25, 48 and 67, Ginter teaches the claimed invention as described above (see claim 1, 18, 41 and 62 respectively). Ginter further teaches said data providing apparatus distributes a first file storing said content data and a second file storing said content key data and said usage control policy to said data processing apparatus (Ginter: see for example, Column 12 Line 33 – 46 and Column 130 Line 37 – 40).

As per claim 9, 27, 50, 65 and 69, Ginter teaches the claimed invention as described above (see claim 1, 18, 41 and 62 respectively). Ginter further teaches said data processing apparatus distributes said module storing public key data corresponding to said secret key data to said data processing apparatus (Ginter: see for example, Column 22 Line 8 – 14).

As per claim 10, 32, 51 and 70, Ginter teaches the claimed invention as described above (see claim 1, 18, 41 and 62 respectively). Ginter further teaches said data providing apparatus performs mutual authentication with said data processing apparatus, encrypts said module using session key data obtained by said mutual authentication, and transmits said encrypted module to

Art Unit: 2131

said data processing apparatus (Ginter: see for example, Column 161 Line 43 – 46).

As per claim 11, 33, 52 and 71, Ginter teaches the claimed invention as described above (see claim 1, 18, 41 and 62 respectively). Ginter further teaches said data providing apparatus generates a storage medium storing said module (Ginter: see for example, Column 18 Line 14 – 25).

As per claim 12 and 34, Ginter teaches the claimed invention as described above (see claim 1 and 18 respectively). Ginter further teaches said data processing apparatus determines at least one of a purchase mode and usage mode of said content data based on said usage control policy (Ginter: see for example, Column 58 Line 12 – 22).

As per claim 13 and 35, Ginter teaches the claimed invention as described above (see claim 1 and 18 respectively). Ginter further teaches said data processing apparatus outputs said decrypted content key data and said encrypted content data to a decryption apparatus (Ginter: see for example, Column 130 Line 37 – 40).

As per claim 14 and 36, Ginter teaches the claimed invention as described above (see claim 1 and 18 respectively). Ginter further teaches said data processing apparatus verifies the legitimacy of signature data stored in said

Art Unit: 2131

module using public key data stored in said module (Ginter: see for example, Column 22 Line 8 – 14).

As per claim 15, 37, 76, 88 and 89, Ginter teaches the claimed invention as described above (see claim 3, 21, 72 and 83 respectively). Ginter further teaches said data processing apparatus determines at least one of a purchase mode and usage mode of distributed content data based on usage control policy data and transmits log data indicating a log of at least said determined purchase mode and usage mode and said management apparatus performs profit distribution processing for distributing profit obtained accompanied with said purchase and said usage of said content data in said data processing apparatus to related parties of said data providing apparatus based on said received log data (Ginter: see for example, Column 58 Line 12 – 37, Column 283 Line 29 – 39 & Figure 4).

As per claim 16 and 38, Ginter teaches the claimed invention as described above (see claim 1 and 18 respectively). Ginter further teaches said data processing apparatus is comprised of a module making it difficult for the processing content, predetermined data stored in an *internal memory*, and data being processed from being monitored and tampered with from the outside (Ginter: see for example, Column 12 Line 33 – 46, Column 130 Line 37 – 40 and Column 164 Lines 59: the secure container is an equivalent to a module).

As per claim 19 and 59, Ginter teaches the claimed invention as described above (see claim 18 and 58 respectively). Ginter further teaches said data distribution apparatus distributes a module storing price data showing a price of said content data to said data processing apparatus (Ginter: see for example, Column 58 Line 19).

As per claim 22, Ginter teaches the claimed invention as described above (see claim 20). Ginter further teaches said data providing apparatus generates its own signature data for at least one of said content key data and said usage control policy and provides said first module storing said generated signature data and storing a third module encrypted using said distribution key data to said data distribution apparatus and said data distribution apparatus stores said provided third module in said second module and distributes it to said data processing apparatus (Ginter: see for example, Column 22 Line 8 – 14 and Column 258 Line 63 – 65) & (Ginter: see for example, Column 200 Line 54 – 65) & (Ginter: see for example, Column 17 Line 46 – 51).

As per claim 28, Ginter teaches the claimed invention as described above (see claim 19). Ginter further teaches said data distribution apparatus generates signature data using its own secret key data for said price data and stores said

Art Unit: 2131

signature data in said second module (Ginter: see for example, Column 58 Line 12 – 37 and Column 22 Line 8 – 14).

As per claim 30, Ginter teaches the claimed invention as described above (see claim 26). Ginter further teaches said data distribution apparatus verifies the signature data of said first file and said second file using public key data of said data providing apparatus (Ginter: see for example, Column 22 Line 8 – 14).

As per claim 31, Ginter teaches the claimed invention as described above (see claim 25). Ginter further teaches said data distribution apparatus performs mutual authentication with said data processing apparatus, encrypts said second module using session key data obtained by said mutual authentication, and transmits said encrypted second module to said data processing apparatus (Ginter: see for example, Column 297 Line 64 – 67).

As per claim 39, Ginter teaches a data providing system comprising a data providing apparatus, at least a first data distribution apparatus and a second data distribution apparatus, and a data processing apparatus, wherein said data providing apparatus provides a first module storing content data encrypted by using content key data, encrypted content key data, and encrypted usage control policy data indicating the handling of said content data to said plurality of data distribution apparatuses, said first data distribution apparatus distributes the

Art Unit: 2131

second module storing said encrypted content data, content key data, and usage control policy data stored in said provided first module to said data processing apparatus, said second data distribution apparatus distributes a third module storing said encrypted content data, content key data, and usage control policy data stored in said provided first module to said data processing apparatus, and said data processing apparatus decrypts said content key data and said usage control policy data stored in said distributed second module and said third module and determines the handling of said content data based on the related decrypted usage control policy data (Ginter: see for example, Column 9 Line 36 – 40, Column 55 Line 29 – 32 and Figure 1A & Figure 2) & (Ginter: see for example, Column 12 Line 33 – 46 and Column 130 Line 37 – 40) & (Ginter: see for example, Column 17 Line 46 – 51) & (Ginter: see for example, Column 17 Line 46 – 54) & (Ginter: see for example, Column 15 Line 33 – 38, Column 12 Line 33 – 46, Column 58 Line 12 – 22) & (Ginter: see for example, Column 200 Line 54 – 65).

As per claim 40, 58, and 60, claim 40, 58, and 60 do not further teach over claim 61. Therefore, see same rationale addressed above in rejecting claim 61.

As per claim 42, claim 42 does not further teach over claim 18. Therefore, see same rationale addressed above in rejecting claim 18.

As per claim 53, Ginter teaches the claimed invention as described above (see claim 41). Ginter further teaches defining said module by an application layer (Ginter: see for example, Column 58 Line 3038 – 46: Application related module is evidently managed in the application layer according to network protocol architecture).

As per claim 54, Ginter teaches the claimed invention as described above (see claim 53). Ginter further teaches uses a presentation layer and transport layer under said application layer as distribution protocol for distributing said module to said data processing apparatus (Ginter: see for example, Column 91 Line 47).

As per claim 55, Ginter teaches the claimed invention as described above (see claim 41). Ginter further teaches defining defines said module by a format not dependent on a medium for distributing said module to said data processing apparatus (This is inherited from the independence of layers within the network architecture such as OSI seven layers).

As per claim 61, Ginter teaches a data providing method using at least a first data providing apparatus and second data providing apparatus, a data distribution apparatus, and a data processing apparatus, comprising the steps of:

Art Unit: 2131

providing a first module storing first content data encrypted by using first content key data, encrypted first content key data, and encrypted first usage control policy data indicating the handling of said first content data from said first data providing apparatus to said data distribution apparatus, providing a second module storing second content data encrypted by using second content key data, encrypted second content key data, and encrypted second usage control policy data indicating the handling of said second content data from said second data providing apparatus to said data distribution apparatus, distributing a third module storing said encrypted first content data, said first content key data, and said first usage control policy data stored in said provided first module and said encrypted second content data, said second content key data, and said second usage control policy data stored in said provided second module from said data distribution apparatus to said data processing apparatus, and decrypting said first content key data and said first usage control policy data stored in said distributed third module, determining the handling of said first content data based on the related decrypted first usage control policy data, decrypting said second *content* key data and said second usage control policy data stored in said distributed third module, and determining the handling of said second content data based on the related decrypted second usage control policy data at said data processing apparatus (Ginter: see for example, Column 9 Line 36 – 40, Column 55 Line 29 – 32 and Figure 1A & Figure 2) & (Ginter: see for example, Column 12 Line 33 – 46 and Column 130 Line 37 – 40) & (Ginter: see for example, Column 17 Line 46

Art Unit: 2131

– 51) & (Ginter: see for example, Column 17 Line 46 – 54) & (Ginter: see for example, Column 15 Line 33 – 38, Column 12 Line 33 – 46, Column 58 Line 12 – 22) & (Ginter: see for example, Column 200 Line 54 – 65).

As per claim 72, Ginter teaches a data providing system comprising a data providing apparatus, data processing apparatus, and management apparatus, wherein said data providing apparatus distributes content data and usage control policy data indicating the handling of the related *content data* to said data processing apparatus and requests to said management apparatus to certify legitimacy of said usage control policy data, said data processing apparatus uses said distributed content data based on said distributed usage control policy data, and said management apparatus manages said data providing apparatus and said data processing apparatus and certifies the legitimacy of said usage control policy data in response to a request from said data providing apparatus (Ginter: see for example, Column 12 Line 33 – 46 and Column 130 Line 37 – 40) (Ginter: see for example, Column 15 Line 33 – 38, Column 12 Line 33 – 46, Column 58 Line 12 – 22, Column 203 Line 50 – Column 204 Line 19 and Column 17 Line 55 – 60).

Ginter teaches control information may be delivered from one or more sources and may be available from certified secure remote locations Column 17 Line 55 – 60).

Ginter does not disclose expressly making requests to said management apparatus to certify legitimacy of said usage control policy data.

However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to make the respective modification because Ginter teaches control information can be delivered from one or more sources and may be available from certified secure remote locations (Column 17 Line 55 – 60) and evidently, a certifying authority can indeed certify the information on a request basis for the content in the secure container – i.e. It is evident to allow the secured subsystem to request a certificate from the certifying authority source regarding secure information specified in the secure information container (or module).

As per claim 73 and 84, Ginter as modified teaches the claimed invention as described above (see claim 72 and 83 respectively). Ginter as modified further teaches said data providing apparatus makes said request by transmitting to said management apparatus a module storing said usage control policy data, its own identifier, and signature data generated using its own secret key data for at least said usage control policy data (Ginter: see for example, Column 15 Line 33 – 38, Column 12 Line 33 – 46, Column 58 Line 12 – 22, Column 203 Line 50 – Column 204 Line 19 and Column 17 Line 55 – 60) & (Ginter: see for example, Column 22 Line 8 – 14).

As per claim 74 and 85, Ginter as modified teaches the claimed invention as described above (see claim 73 and 84 respectively). Ginter as modified further teaches said management apparatus distributes public key certificate data for certifying the legitimacy of the public key data corresponding to said secret key data of said data providing apparatus to said data providing apparatus together with the signature data generated by using its own secret key data, and said data providing apparatus makes a request by transmitting a module storing said public key certificate data, said usage control policy data, its own identifier, and said signature data to said management apparatus (Ginter: see for example, Column 22 Line 8 – 14) & (Ginter: see for example, Column 120 Line 32 – 40 and Column 203 Line 50 – Column 204 Line 19 and Column 17 Line 55 – 60).

As per claim 75 and 86, Ginter as modified teaches the claimed invention as described above (see claim 73 and 84 respectively). Ginter as modified further teaches said management apparatus manages distribution key data, distributes the related distribution key data to said data processing apparatus, generates signature data generated by using its own secret key data with respect to said usage control policy data in response to a request from said data providing apparatus, encrypts a module storing the related generated signature data and said usage control policy data by using said distribution key data, and transmits the same to said data providing apparatus, said data providing apparatus distributes a module received from said management apparatus to

Art Unit: 2131

said data processing apparatus, and said data processing apparatus decrypts said module received from said data providing apparatus by using said distribution key data, verifies the legitimacy of said signature data stored in the related module by using the public key data of said management apparatus, and uses said distributed content data based on the usage control policy data stored in said module when it decides it is legitimate (Ginter: see for example, Column 200 Line 54 – 65) & (Ginter: see for example, Column 258 Line 63 – 65) & (Ginter: see for example, Column 17 Line 46 – 51) & (Ginter: see for example, Column 22 Line 8 – 14) & (Ginter: see for example, Column 200 Line 54 – 65) & (Ginter: see for example, Column 15 Line 33 – 38, Column 12 Line 33 – 46, Column 58 Line 12 – 22).

As per claim 77, 78, 82, 90, 91, 93 and 96, claim 77, 78, 82, 90, 91, 93 and 96 do not further teach over claim 98. Therefore, see same rationale addressed above in rejecting claim 98.

As per claim 78, Ginter as modified teaches the claimed invention as described above (see claim 77).

As per claim 79, 83, 92, 95 and 97, claim 79, 83, 92, 95 and 97 do not further teach over claim 72. Therefore, see same rationale addressed above in rejecting claim 72.

As per claim 80, Ginter as modified teaches the claimed invention as described above (see claim 79). Ginter as modified further teaches managing public key data corresponding to secret key data of said data providing apparatus when receiving from said data providing apparatus said request using a module storing said usage control policy data, an identifier of said data providing apparatus, and signature data generated using secret key data of said data providing apparatus for at least said usage control policy data (Ginter: see for example, Column 22 Line 8 – 14) & (Ginter: see for example, Column 120 Line 32 – 40 and Column 203 Line 50 – Column 204 Line 19 and Column 17 Line 55 – 60).

As per claim 87, Ginter as modified teaches the claimed invention as described above (see claim 83). Ginter as modified further teaches said data distribution apparatus distributes price data indicating the price of said distributed content data to said data processing apparatus and said management apparatus certifies the legitimacy of said price data in response to a request from said data distribution apparatus (Ginter: see for example, Column 58 Line 19) & (Ginter: see for example, Column 203 Line 50 – Column 204 Line 19 and Column 17 Line

Art Unit: 2131

55 – 60: It is obvious to extend the certifying subject to each content specified in the secure container).

As per claim 94, Ginter as modified teaches the claimed invention as described above (see claim 92). Ginter as modified further teaches a management apparatus as set forth in claim 92, which certifies the legitimacy of said price data in response to a request from said data distribution apparatus when distributing said price data from said data distribution apparatus to said data processing apparatus together with said content data and said usage control policy data (Ginter: see for example, Column 205 Line 21 – 31) & (Ginter: see for example, Column 58 Line 12 – 37).

As per claim 98, claim 98 encompasses the scope at least as described in claim 18 and besides that, in further regards to claim 18, Ginter further teaches certifying the legitimacy of said content key data in said management apparatus in response to a request from said data providing apparatus (Ginter: see for example, Column 202 Line 47 – 51, Column 258 Line 61 – 65 and Column 17 Line 55 – 60) & (Ginter: see for example, Column 203 Line 50 – Column 204 Line 19 and Column 17 Line 55 – 60: It is obvious to extend the certifying subject to each content specified in the secure container).

As per claim 99, 114, 117, 120, 135, 138, 140, 141, 175, 179 – 182 and 208, claim 99, 114, 117, 120, 135, 138, 140, 141, 175, 179 – 182 and 208 do not further teach over claim 178. Therefore, see same rationale addressed above in rejecting claim 178.

As per claim 100, Ginter teaches the claimed invention as described above (see claim 99). Ginter further teaches said data providing apparatus encrypts said content data using predetermined key data and distributes it to said data processing apparatus, said data processing apparatus decrypts said received content data using said key data, and said management apparatus manages said key data (Ginter: see for example, Column 200 Line 54 – 65) & (Ginter: see for example, Column 258 Line 63 – 65) & (Ginter: see for example, Column 17 Line 46 – 51).

As per claim 101, Ginter teaches the claimed invention as described above (see claim 100). Ginter further teaches said data providing apparatus generates predetermined key data and registers said generated key data to said management apparatus, said management apparatus manages said registered key data and transmits corresponding key data to said data processing apparatus when processing for purchasing of content data is performed in said data processing apparatus, and said data processing apparatus decrypts said received content data using said received key data (Ginter: see for example,

Art Unit: 2131

Column 164 Line 20 – 40 and Column 200 Line 54 – 65) & (Ginter: see for example, Column 258 Line 63 – 65) & (Ginter: see for example, Column 17 Line 46 – 51)

As per claim 102, Ginter teaches the claimed invention as described above (see claim 100). Ginter further teaches said data providing apparatus encrypts said key data and distributes a module storing said encrypted key data, encrypted content data, and said usage control policy data to said data processing apparatus (Ginter: see for example, Column 200 Line 54 – 65).

As per claim 103, Ginter teaches the claimed invention as described above (see claim 102). Ginter further teaches said management apparatus manages distribution key data and distributes said distribution key data to said data providing apparatus and said data processing apparatus, said data providing apparatus encrypts said key data and said usage control policy data using said distributed distribution key data, and said data processing apparatus decrypts said key data and said usage control policy data using said distributed distribution key data (Ginter: see for example, Column 200 Line 54 – 65) & (Ginter: see for example, Column 15 Line 33 – 38, Column 12 Line 33 – 46, Column 58 Line 12 – 22).

As per claim 104, Ginter teaches the claimed invention as described above (see claim 103). Ginter further teaches said management apparatus distributes a plurality of distribution key data having predetermined terms of validity to said data providing apparatus and said data processing apparatus for exactly a predetermined period (Ginter: see for example, Column 164 Line 62 – 64) & (Ginter: see for example, Column 200 Line 54 – 65) & (Ginter: see for example, Column 258 Line 63 – 65) & (Ginter: see for example, Column 17 Line 46 – 51).

As per claim 105 – 113, 115, 116 and 121 – 128, claim 105 – 113, 115, 116 and 121 – 128 do not further teach over claim 18 – 38 as addressed above.

As per claim 118, Ginter teaches the claimed invention as described above (see claim 117). Ginter further teaches data providing apparatus as set forth in claim 117, which receives said key data from said data providing apparatus when said content data is encrypted using predetermined key data (Ginter: see for example, Column 283 Line 40 – 46) & (Ginter: see for example, Column 12 Line 33 – 46 and Column 130 Line 37 – 40).

As per claim 119 and 139, Ginter teaches the claimed invention as described above (see claim 118 and 138). Ginter further teaches a module making it difficult for the processing content, predetermined data stored in an

Art Unit: 2131

internal memory, and data being processed from being monitored and tampered with from the outside (Ginter: see for example, Column 164 Line 69 and Column 12 Line 40 – 46).

As per claim 129, Ginter teaches the claimed invention as described above (see claim 120). Ginter further teaches a data providing system as set forth in claim 120, wherein said management apparatus performs profit distribution processing for distributing profit obtained accompanied with said data processing apparatus receiving distribution of said content data and purchasing and using said content data to related parties of said data providing apparatus and said data distribution apparatus, generates settlement claim data to be used when claiming settlement, add its own signature data to said settlement claim data, and transmits this to an apparatus for performing said settlement processing (Ginter: see for example, Column 58 Line 12 – 37) & (Ginter: see for example, Column 45 Line 33 – 51, Column 283 Line 29 – 39 & Figure 4).

As per claim 130, Ginter teaches the claimed invention as described above (see claim 129). Ginter further teaches said management apparatus transmits settlement report data showing the results of said profit distribution processing to at least one of said data providing apparatus and said data distribution apparatus (Ginter: see for example, Column 45 Line 33 – 51).

As per claim 131 – 134, Ginter teaches the claimed invention as described above (see claim 120). Ginter further teaches said management apparatus performs profit distribution processing for distributing profit obtained accompanied with said data processing apparatus receiving distribution of said content data and purchasing and using said content data to related parties of said data providing apparatus and said data distribution apparatus, generates settlement claim data to be used when claiming settlement, adds its own signature data to said settlement claim data, and transmits this to at least one of said data providing apparatus and said service providing apparatus (Ginter: see for example, Column 58 Line 12 – 37) & (Ginter: see for example, Column 45 Line 33 – 51, Column 283 Line 29 – 39 & Figure 4) & (Ginter: see for example, Column 22 Line 8 – 14).

As per claim 136, Ginter teaches the claimed invention as described above (see claim 135). Ginter further teaches managing said key data when distributing said content data encrypted using predetermined content key data from said data providing apparatus to said data processing apparatus (Ginter: see for example, Column 130 Line 37 – 40).

As per claim 137, Ginter teaches the claimed invention as described above (see claim 136). Ginter further teaches authenticates the legitimacy of at least one of said usage control policy data and said content key data (Ginter: see

Art Unit: 2131

for example, Column 202 Line 47 – 51, Column 258 Line 61 – 65 and Column 17 Line 55 – 60).

As per claim 142 – 149, 150 and 183, claim 142 – 149, 150 and 183 do not further teach over claim 18 – 33. Therefore, see same rationale addressed above in rejecting claim 18 – 33.

As per claim 151 – 159 and 164 – 168, claim 151 – 159 and 164 – 168 do not further teach over claim 160 – 163. Therefore, see same rationale addressed above in rejecting claim 160 – 163.

As per claim 160, claim 160 encompasses the scope at least as described in claim 18 – 33 and besides that, in further regards to claim 160, Ginter further teaches said management apparatus manages the operation of a data providing service by said data providing apparatus, said data distribution apparatus, and said data processing apparatus, generates public key certificate revocation list for specifying public key certificate data to be invalidated among said generated public key certificate data, and distributes the related public key certificate revocation list to said data distribution apparatus, said data providing apparatus provides content data to said data distribution apparatus, said data distribution apparatus distributes said provided content data and said distributed public key certificate revocation list to said data processing apparatus,

Art Unit: 2131

and said data processing apparatus verifies whether or not public key certificate data of said data distribution apparatus distributing said distributed content data is invalid based on said distributed public key certificate revocation list and controls the usage of said distributed content data based on the result of the related verification (Ginter: see for example, Column 120 Line 32 – 40 and Column 204 Line 1 – 26).

As per claim 161, Ginter teaches the claimed invention as described above (see claim 160). Ginter further teaches said data distribution apparatus has a configuration which makes it difficult to tamper with said public key certificate revocation list distributed from said management apparatus (Ginter: see for example, Column 120 Line 32 – 40 and Column 204 Line 1 – 26).

As per claim 162, Ginter teaches the claimed invention as described above (see claim 160). Ginter further teaches said management apparatus encrypts said public key certificate revocation list using distribution key data and distributes it to said data distribution apparatus and distributes said distribution key data to said data processing apparatus and said data processing apparatus decrypts said distributed public key certificate revocation list using said distribution key data (Ginter: see for example, Column 258 Line 63 – 65) & (Ginter: see for example, Column 200 Line 54 – 65).

As per claim 163, 190 and 196, Ginter teaches the claimed invention as described above (see claim 160 and 188 respectively). Ginter further teaches said data distribution apparatus distributes said public key certificate revocation list to said data processing apparatus by broadcasting or by an on-demand system (Ginter: see for example, Column 127 Line 146 – 149).

As per claim 169, claim 169 encompasses the scope at least as described in claim 160 and besides that, in further regards to claim 169, Ginter further teaches said data processing apparatuses verify whether or not public key certificate data of other data processing apparatuses are invalid based on the public key certificate revocation list distributed from said data distribution apparatus, and control the communication with other data processing apparatuses based on the result of the related verification (Ginter: see for example, Column 204 Line 7 – 8).

As per claim 170 – 175, claim 170 – 175 do not further teach over claim 160 – 163 and 169. Therefore, see same rationale addressed above in rejecting claim 160 – 163 and 169.

As per claim 176, Ginter teaches the claimed invention as described above (see claim 175). Ginter further teaches said management apparatus has a first management apparatus having a settlement function (Ginter: see for

Art Unit: 2131

example, Column 58 Line 12 – 37) and a second management apparatus having a right management function (Ginter: see for example, Column 45 Line 33 – 51, Column 283 Line 29 – 39 & Figure 4).

As per claim 177, Ginter teaches the claimed invention as described above (see claim 175). Ginter further teaches said settlement is electronic settlement (Ginter: see for example, Column 58 Line 12 – 37).

As per claim 178, Ginter teaches a data providing system comprising a data providing apparatus, data distribution apparatus, data processing apparatus, and management apparatus, wherein: said data providing apparatus provides content data and usage control policy data indicating the handling of the related content data to said data distribution apparatus (Ginter: see for example, Column 9 Line 36 – 40, Column 55 Line 29 – 32 and Figure 1A & Figure 2) & (Ginter: see for example, Column 12 Line 33 – 46 and Column 130 Line 37 – 40) & (Ginter: see for example, Column 15 Line 33 – 38, Column 12 Line 33 – 46, Column 58 Line 12 – 22), said data distribution apparatus has a charging function for performing settlement processing by using settlement claim data distributed from said management apparatus and distributes said provided content data and said usage control policy data to said data processing apparatus (Ginter: see for example, Column 58 Line 12 – 37) & (Ginter: see for example, Column 45 Line 33 – 51, Column 283 Line 29 – 39 & Figure 4), said data processing apparatus

Art Unit: 2131

has a first module for communicating with said data distribution apparatus and a second module for determining at least one of a purchase mode and usage mode of said distributed content data based on said distributed usage control policy data and transmitting log data indicating the log of the related determined purchase mode and usage mode to said management apparatus (Ginter: see for example, Column 58 Line 12 – 37) & (Ginter: see for example, Column 45 Line 33 – 51, Column 283 Line 29 – 39 & Figure 4), said management apparatus manages the data providing apparatus, data distribution apparatus, and data processing apparatus and has a settlement claim data creation function for performing profit distribution processing for distributing the profit obtained accompanied with said data processing apparatus receiving distribution of said content data and purchasing and using said content data to related parties of said data providing apparatus and said data distribution apparatus based on said log data received from said second module, creating settlement claim data used when performing settlement based on the result of the related profit distribution processing, and supplying the same to said data distribution apparatus and a right management function for registering said usage control policy data (Ginter: see for example, Column 58 Line 12 – 37) & (Ginter: see for example, Column 45 Line 33 – 51, Column 283 Line 29 – 39 & Figure 4).

As per claim 184 – 189, 191 – 195 and 197 – 207, claim 184 – 189, 191 – 195 and 197 – 207 do not further teach over claim 160 – 163 (or claim 175 –

Art Unit: 2131

177) and 169. Therefore, see same rationale addressed above in rejecting claim

160 – 163 (or claim 175 – 177) and 169.

Art Unit: 2131

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 703-305-0710. The examiner can normally be reached on Monday-Friday 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Longbit Chai
Examiner
Art Unit 2131

LBC


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100